

system where a user uses a "telephone-based linking terminal", which is ATM-like in appearance, to perform home banking.

In response to Applicant's prior amendment, the Office Action notes that the remote terminal in the Lawlor reference is described as being portable. However, the Office Action acknowledges that the remote terminal in the Lawlor reference communicates in only a wired fashion.

Claim 1 recites in part:

a mobile unit carried by a user, wherein said mobile unit is configured to transmit identification information indicating a user of the mobile unit, wherein the mobile unit transmits the identification information in a wireless fashion;

Thus the present claims describe a system comprising a mobile unit carried by a user, wherein the mobile unit communicates in a wireless fashion while being carried by the user. The Lawlor patent does not teach or suggest this limitation. Applicant notes that, while the remote terminal in the patent is described as being portable, the remote terminal is necessarily not portable while it is performing communication operations. In other words, the remote terminal is necessarily in a fixed position while it is communicating.

Claim 1 further recites

a plurality of distributed access points coupled to said network, wherein each of said plurality of access points is configured to detect said mobile unit, wherein each of said plurality of access points is also configured to receive the identification information indicating the user of the mobile unit, wherein, after detection of said mobile unit by a first access point of said plurality of access points in proximity to said mobile unit, and after receipt of the identification information indicating the user of the mobile unit, one or more past transactions of the user of the mobile unit are identified, and said first access point transmits information to said mobile unit that is dependent upon the past transactions of the user of the mobile unit.

Thus various ones of the claims recite a plurality of distributed wireless access points that are configured to communicate with the mobile unit in a wireless fashion. The Office Action admits that the Lawlor reference does not teach a mobile unit or wireless

access points that communicate in a wireless fashion. However, the Office Action refers to the existence of wireless telephones and states that it would have been obvious to "use one of the known wireless telephones as the remote terminal." Applicant respectfully submits that is not supportable and is a hindsight reconstruction of the present claims.

The Lawlor patent is directed to a system where the users use terminals communicating over a wired medium. In contrast, the present patent application is directed toward addressing a distributed communication service system where a mobile unit carried by a user communicates with wireless access points and wherein information can be provided to the mobile unit carried by a user based on past transactions of the user. Thus, for example, when a user carrying a mobile unit is in proximity to a wireless access point, the wireless access point may receive ID information of the user and communicate information to the mobile unit in a wireless fashion based on past transactions of the user.

Applicant submits that Lawlor does not teach or suggest a wireless network system which provides the features of the present independent claims. The Lawlor patent could not be readily modified to address a wireless network system, and there is no teaching or suggestion to do so. For example, in Lawlor, the terminal used by the user in Lawlor is not a "mobile unit" during communication. Further, Lawlor does not teach or suggest the concept of wireless access points distributed in an area that communicate with mobile units in a wireless fashion. Lawlor further does not teach or suggest detection of a mobile unit by a wireless access point. Lawlor further does not provide any mechanism to address the problems inherently presented by a wireless system, wherein it is not known a priori where a mobile unit will be located at any given time, and which wireless access point a mobile unit will be communicating with at any given time.

Applicant further submits that various ones of the dependent claims are independently allowable.

For example, claim 5 recites that "the plurality of access points are located in an airport" and claim 6 recites that "the plurality of access points are located in a hotel". The Office Action relies on the Farmakis and Rudow references to teach these elements. The Office Action states that the Farmakis reference "discloses a similar system and method for providing information to users of mobile units". Applicant has reviewed this

reference and respectfully disagrees. This reference is directed toward an aircraft traffic control system. This reference does not appear to have any teaching or suggestion regarding providing information to a mobile unit depending on past transactions of the user of the mobile unit. The Office Action also refers to the Rudow reference, which is directed to a golf cart information system. The Rudow reference also does not appear to have any teaching or suggestion regarding providing information to a mobile unit depending on past transactions of the user of the mobile unit. Further, Applicant respectfully submits that there is no teaching or suggestion to combine the references as proposed by the Examiner.

Thus, Applicant submits that the present claims are allowable over the cited references.

CONCLUSION

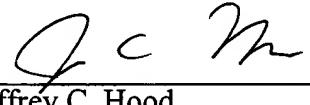
In light of the foregoing amendments and remarks, Applicants submits the application is now in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Conley, Rose, & Tayon, P.C. Deposit Account No. 50-1505/5285-00106/JCH.

Also enclosed herewith are the following items:

- Return Receipt Postcard
- Petition for Extension of Time
- Request for Approval of Drawing Changes
- Notice of Change of Address
- Check in the amount of \$ _____ for fees (_____).
- Other:

Respectfully submitted,



Jeffrey C. Hood
Reg. No. 35,198
ATTORNEY FOR APPLICANT(S)

Conley, Rose & Tayon, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 476-1400

11/25/2002